

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-10361-NG
)	
JOHN HANDY,)	
)	
Defendant.)	

JOINT INITIAL STATUS MEMORANDUM

Pursuant to Local Rule 116.5(A), the parties hereby submit this Joint Memorandum to address issues relative to the progress of this case.

1. The parties do not seek relief from applicable timing requirements imposed by the local rule.
2. The defendant seeks discovery concerning any expert witnesses, pursuant to Fed. R. Crim. P. 16(a)(1)(E). The government has agreed to provide the defendant with discovery concerning any expert witnesses twenty-eight (28) days before trial, and the defendant has agreed to provide the government with any reciprocal discovery concerning expert witnesses within fourteen (14) days of trial as required under Fed. R. Crim. P. 16(b)(1)(C).
3. Although the government has provided the defendant with all documents and other discoverable materials in this case pursuant to automatic discovery, the government may receive additional discoverable information, which it will turn over to the defense. Additionally, the defendant does not presently have any discoverable information, but pursuant to their agreement to provide reciprocal discovery, will provide the government with any such information received in the future.
4. Counsel for defendant received the government's automatic discovery submission on 8/12/05, and has not had sufficient time to review the materials with the defendant. As such, counsel will need additional time to evaluate whether or not any dispositive motions will be filed in this case.
5. The parties do not believe that an initial status conference is necessary at this juncture, and request that the Initial Status Conference presently scheduled

for Tuesday, August 23, 2005 at 10:00 a.m., be cancelled and that an Interim Status Conference be scheduled instead. The parties also request that the Court enter an Order on Excludable Delay under the Speedy Trial Act, excluding all of the time from August 10, 2004 (date of the detention hearing) through and including the date of the Interim Status Conference.

6. There have been no discussions between the parties regarding the possibility of an early resolution of the case.
7. The parties request that an Interim Status Conference be scheduled for mid-September 2005.

Respectfully submitted,

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United States Attorney

JOHN HANDY,
Defendant

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